

Establishing Paternity by Court Order

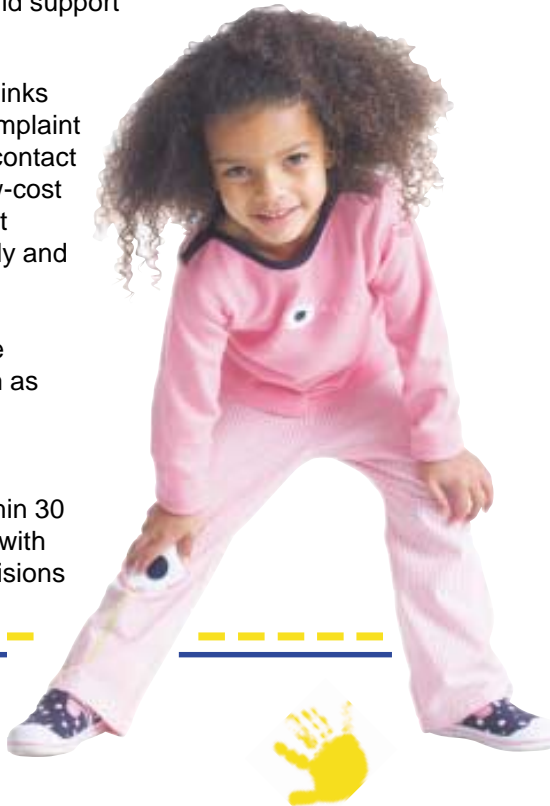
When a person is named as the father, he will be served with legal paperwork to establish paternity and/or child support and health insurance coverage. This paperwork is called a Summons and Complaint.

The Summons and Complaint will be served on the named father or the person accepting service on his behalf. If the named father knows he is the child's father, he can go to the local child support agency and sign an agreement (Stipulation).

If the person named in the Summons and Complaint thinks he is not the father, then he must file the Answer to Complaint with the court within 30 days of being served. He may contact the local child support agency to arrange for free or low-cost testing to determine if he is the father. Testing does not necessarily require a blood test and can be done quickly and painlessly.

The named father has 30 days to legally respond to the Summons and Complaint or the court will establish him as the father and could order him to pay child support and provide medical coverage for the child.

It is very important for the named father to respond within 30 days so his income and the amount of time he spends with the child can be considered when the court makes decisions on child support.



Now is the Best Time to
Establish Paternity!



Parents who support their children early are more likely to continue to support them. Give your baby the best possible chance in life by getting paternity established as soon as possible. Your child will benefit emotionally, financially and medically from your decision.

Once paternity is established, both parents have the right to seek visitation or custody of the child.



Supporting California's Children

Establishing Paternity (child's father)



COUNTY
Department of
Child Support Services

What is Paternity?

Paternity is a term meaning the legal father of the child. Paternity can be established either by the court or by both parents completing and signing a paternity declaration in the hospital and having it filed with the state.



How is Paternity Established?

Marriage

When a woman is married and becomes pregnant with a child, it is presumed that her husband is the legal father of the child and paternity is established without the parents having to take any legal action.

Declaration of Paternity

The easiest way for unmarried parents to establish paternity is by signing the Paternity Opportunity Program Declaration form (CS 909). It is given to unmarried parents in the hospital when the child is born. Both parents must sign the form for it to be valid. The form CS 909 is also available at the local child support agency, local registrars and courts. The form CS 909 is required if the father is to be named on the birth certificate.

Court Order

Paternity can be established by court order. If either parent has opened a case with the local child support agency, the local child support agency can file all the necessary papers to get a court order.

Why is it Important to Establish Paternity?

The benefits to the child are:

- Legal documentation of his or her parents.
- Father's name will be on the birth certificate.
- Support from both parents.
- Access to family medical history.
- Health insurance coverage, if available.
- The right to inherit from either parent.
- The right to receive Social Security or Veterans' Benefits, if available.
- Knowing who both parents are.

Arnold Schwarzenegger, Governor

State of California

Kimberly Belshé, Secretary

California Health and Human Services Agency

Greta Wallace, Director

Department of Child Support Services

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